

### **REMARKS**

Claim 11 has been amended. New claims 12-14 have been added. No new matter has been added by this amendment. Claims 6-14 are currently pending in this application. Applicants reserve the right to pursue the original claims in this and other applications.

Claims 6-11 of the present application are rejected under the doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 6,704,350. Reconsideration is respectfully requested.

The claims of the present application are patentably distinct from those of the '350 patent. There are important differences in the scope of the claims, and the Office Action provides no information to the contrary. Among other things, all of the claims of the '350 patent recite a "shift-register portion," whereas none of the method claims of the present application recite a "shift-register portion." The contention that the patent claims "encompass" the application claims is not correct, and would be irrelevant in any event. See M.P.E.P. § 804(II), page 800-19. For these and other reasons, the rejection of claims 6-11 should be withdrawn.

Moreover, Applicants are submitting herewith a Terminal Disclaimer with respect to the '350 patent. The Terminal Disclaimer should obviate the rejection of claims 6-11, although it does not operate as or create any admission, acquiescence or estoppel on the merits of the rejection. See Ortho Pharmaceutical Corp. v. Smith, 959 F.2d 936, 941-42, 22 U.S.P.Q.2d 1119 (Fed. Cir. 1992).

Accordingly, the rejection of claims 6-11 should be withdrawn and the claims allowed.

Claims 12-14 have been added. Applicants respectfully submit that claims 12-14 are also allowable over the cited art references.

In view of the above, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

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